

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

EVGENY OKMYANSKY, \*  
\*  
\*  
Plaintiff, \*  
\*  
\*  
\*  
v. \* Civil Action No. 03-10574-JLT  
\*  
\*  
\*  
HERBALIFE INTERNATIONAL OF \*  
AMERICA, INC., \*  
\*  
\*  
\*  
\*  
Defendant. \*

ORDER AND JUDGMENT

November 8, 2004

TAURO, J.

This court hereby orders that:

1. Motion for Summary Judgment of Defendant Herbalife International of America, Inc. on Issues Set Forth in the June 21, 2004 Order [#59] is ALLOWED.
2. Plaintiff's Motion for Summary Judgment [#63] is DENIED.

IT IS SO ORDERED.

/s/ Joseph L. Tauro  
United States District Judge